(1) SINGLE BENCH

1001

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3925 Of 2006

PETITIONER : Jai Karan Singh S/o Shri Bansh Raj , aged about 34 years , Assistant Teacher, Primary School Dugupara, Block Ramanuj Nagar District Surguja (Ambikapur) (CG).R/o Village Sarai Para , Post Ramanuj Nagar , District Surguja (CG).

P.R. No. 3990/06
Presented by Shri Sunil Sahu
dated 26/7/06

VERSUS

RESPONDENTS : 1.The State of Chhattisgarh, through the Secretary , SC/ST Development Department, Mantralay , D.K.S. Bhawan, Raipur (CG).

2. Assistant Commissioner , Tribal Development , Ambikapur District Surguja (CG).

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WPN0.3925 **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	7.8.2006:- Smt. Indira Tripathi, counsel for the petitioner. Smt. Anju Ahuja, Deputy Govt. Advocate for the State/respondents on advance copy. Heard. By the instant petition, the petitioner has challenged the order dated 7th July 2006 whereby the petitioner has been transferred from Government Middle School, Jagatpur, Block Ramanujnagar, District Surguja to Pithora. This order has been passed by the Additional Secretary to the Government of Chhattisgarh, Department of SC/ST. The main grievance of the petitioner is that the petitioner was already transferred vide order dated 30th June 2006 by the Assistant Commissioner, Tribal Development, Ambikapur from Jagatpur to Primary School Dugupara, Block Ramanujnagar, District Surguja and in pursuance of the said transfer order, the petitioner had already joined on 12th July 2006, therefore, the petitioner ought not to have been transferred being Assistant Teacher out of the district. Learned counsel for the petitioner submitted that while making the impugned order, the Additional Secretary was not aware that the petitioner was already transferred from Jagatpur, therefore, the transfer order has wrongly been made, as such the petitioner may be allowed to make a representation bringing this anomaly to the notice of respondent No.1 and he be directed to decide the same, to which learned counsel for respondents has no objection. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on the merit of the case, the prayer made by learned counsel for the	

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation along with a copy of this petition to the respondent No.1 raising all his grievances within a period of 10 days from today and in turn, respondent No.1 shall decide the representation of the petitioner within a period of 30 days from the date of receipt of the representation, after considering all the points raised by the petitioner, in accordance with law.

In the meanwhile, the effect and operation of the impugned order in respect of the petitioner shall remain stayed, till the representation of the petitioner is decided.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.3051/2006 also stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve

8.8.06 11.8.06

P.T.O.